

Staff Summary Report



Council Meeting Date: 11/13/03

Agenda Item Number: 21

SUBJECT: This is the first public hearing to annex a remnant parcel of land owned by the City of Tempe.

DOCUMENT NAME: 20031113PWMG03 ANNEXATION (0402-01)
ORDINANCE NO. 2003.28

SUPPORTING DOCS: Yes

COMMENTS: This parcel of land is located in an unincorporated portion of the city of Tempe. The parcel was acquired from the Arizona Department of Transportation and lies south of State Route 202 approximately midway between Rural and Miller Roads. The annexation of this city-owned parcel is one of the first steps in the process of creating an improvement district for the Playa del Norte/Miller Road area. In accordance with Arizona Revised Statute 9-471, a public hearing occurred before the Council on October 2, 2003 and direction was to proceed with the annexation.

PREPARED BY: CAROL MARTSCH, SENIOR ENGINEERING ASSOCIATE (x8524)

REVIEWED BY: ANDY GOH, DEPUTY PW MANAGER/CITY ENGINEER (x8896)

LEGAL REVIEW AS TO FORM: CLIFF MATTICE, ASSISTANCE CITY ATTORNEY (x8610)

FISCAL NOTE: N/A

RECOMMENDATION: That the City Council hold the required public hearings, adopt Ordinance No. 2003.28 and authorize the Mayor to execute any necessary documents.

Approved by Glenn Kephart, Public Works Manager

ORDINANCE NO. 2003.28

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF TEMPE, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF TEMPE

WHEREAS, a petition in writing, accompanied by a map or plot of said real property described herein, has been filed in the Office of the Maricopa County Recorder and then presented to the Mayor and Council of the City of Tempe, Arizona, signed by the Mayor on behalf of the City of Tempe as owner of record of said real property, which said territory is contiguous to the City of Tempe, and not now embraced within its limits, asking that the property more particularly hereinafter described be annexed to the City of Tempe, and to extend and increase the corporate limits of the City of Tempe so as to embrace the same; and,

WHEREAS, the Mayor and Council of the City of Tempe, Arizona, are desirous of accepting and complying with said petition and extending and increasing the corporate limits of the City of Tempe to include said territory; and

Parcel 1:

That portion of the Northwest Quarter of the Northwest Quarter of Section 14, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Commencing at the North Quarter corner of said Section 14;

Thence along the North line of said section, South 89° 41' 24" West, 1297.14 feet;

Thence South 00° 23' 24" East, 395.23 feet to the True Point of Beginning;

Thence continuing South 00° 23' 24" East, 247.93 feet;

Thence North 89° 49' 42" West, 226.38 feet;

Thence North 00° 23' 24" West, 242.77 feet to a point on the existing Southerly right of way line of State Route 202L (Red Mountain Freeway);

Thence continuing along said Southerly line of said State Route, North 82° 26' 30" East, 34.09 feet;

Thence North 89° 59' 59" East, 192.54 feet to the True Point of Beginning.

Except any portion previously annexed to the City of Tempe by Ordinance No. 879.

Parcel 2:

The East 30 feet of the Northwest Quarter of the Northwest Quarter of Section 14, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Except the South 700.92 feet thereof.

SECTION II. That a copy of this ordinance, together with an accurate map of the territory annexed to the City of Tempe, certified by the Mayor of said City, be forthwith filed and recorded in the office of the County Recorder of Maricopa County, Arizona.

Ordinance No. 2003.28

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PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
TEMPE,

ARIZONA this _____ day of _____, 2003.

Mayor

ATTEST:

City Clerk

ANNEXATION PETITION

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF TEMPE,
ARIZONA:

We, the undersigned, the owners of the entire value of the real and personal property and the sole persons owning real and personal property that would be subject to taxation by the City of Tempe in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Tempe, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, marked "Exhibit "A" and made a part hereof, request that the City of Tempe to annex the following described territory, provided that the requirements of A.R.S. §9-471, and amendments thereto are fully observed.

The description of the territory proposed to be annexed, not already within the present limits of the City of Tempe and located in Maricopa County, Arizona, is as follows:

SEE EXHIBITS "A" & "A-1" ATTACHED HERETO.

<u>DATE</u>	<u>NAME OF PROPERTY OWNER</u>	<u>MAILING ADDRESS</u>	<u>PHONE NO</u>	<u>PARCEL NUMBER OR LEGAL DESCRIPTION</u>
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	<u>CITY OF TEMPE</u>			
	<u>Neil G. Giuliano</u>			
	Mayor Neil G. Giuliano			

AFFIDAVIT REGARDING ANNEXATION

Personally appears before me, James R. Cristea, who, first being duly sworn, deposes and says as follows:

1. I make this affidavit of my own personal knowledge.
2. I am the duly appointed Engineering Manager of the City of Tempe, Arizona and I am qualified to make this affidavit on behalf of and for the City of Tempe.
3. I have made a diligent search of the records of the Office of the Clerk of the City of Tempe and of the Office of the Maricopa County Recorder for any annexation filing which might involve territory sought to be annexed in the City of Tempe Annexation Petition, which is filed herewith, with exhibits, in the Office of the Maricopa County Recorder.
4. I hereby affirm, pursuant to A.R.S. §9-471(A)(6), that no part of the territory for which the attached Annexation Petition is filed is already subject to an earlier filing for annexation.

FURTHER AFFIANT SAYETH NOT.

James R. Cristea - Manager - Land Services
(Name and Title) CITY OF TEMPE

SWORN TO AND SUBSCRIBED before me
This 28th day of August, 2003.

Heidi Graham
Notary Public for the State of Arizona



My commission expires: 10/30/2006

EXHIBIT "A"

LEGAL DESCRIPTION PROPOSED ANNEXATION PARCELS SECTION 14 T 1N, R4E

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EXHIBIT A-1

